

LORENZO RAINER, #121380
PLAINTIFF

CIVIL ACTION:

VS
KILBY CORRECTIONAL FACILITY
DEFENDANT
CAPTIAN BARRETT, et al.,

2:05-CV-916-T

A F F I D A V I T

Before me, the undersigned authority, a Notary Public in and for said county and State of Alabama at large, personally appeared Johnnie Dumas, who being known to me and being by me first duly sworn, deposes and says on oath as follows:

My name is Johnnie Dumas, and I am presently employed as COI Correctional Officer with the Alabama Department of Corrections, Kilby Correctional Facility, Mt. Meigs, Alabama. I am over nineteen (19) years of age.

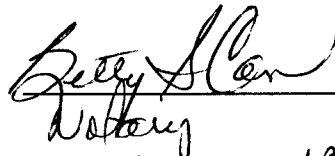
On June 3, 2005 inmate Lorenzo Rainer B/M 121380 alleged that I, COI Dumas used excessive force. I, COI Dumas was counseling inmate Rainer on his negative behavior. Inmate Rainer then swung towards me, (COI Dumas) with his left elbow backwards and extended his left forearm in an attempt to strike me, (COI Dumas). COI Doris Vickers arrived to the scene and tried to restrain inmate Rainer. Inmate Rainer continued to resist. COI Willie Jackson arrived on the scene to assist in restraining inmate Rainer. Inmate Rainer continued to resist by kicking towards me, (COI Dumas). I, COI Dumas retrieved COI Jackson's baton from his baton ring and gave inmate Rainer a direct order to stop. Inmate Rainer continued to kick at me, (COI Dumas). I, COI Dumas struck inmate Rainer approximately (4) four times on his Tibia area, while giving inmate Rainer a verbal command to stop. Inmate Rainer slightly freed himself and swung at me, (COI Dumas). I, COI Dumas struck inmate Rainer (2) two more times around the Radial nerve. COI Otis Barnes and COI Arthur Murray assisted in restraining inmate Rainer and was able to place handcuff inmate Rainer


COI Johnnie Dumas
Kilby Correctional Facility

State of Alabama
Montgomery County

Sworn to and subscribed before me and under my hand and official seal this the 6 day of October, 2005.

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Betty Sloan
My Comm. exp 1-17-06

PENGAD-Bayonne NJ

EXHIBIT

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